REMARKS

Applicants affirm the provisional election to prosecute the invention of group II, claims 6-8, 10-12 and 14-16, drawn to an expense management system having a business partner terminal and means for calculating debits and determining the accuracy of debit data. Claims 1-5, 9, 13, and 17 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention. Claims 6-8, 10-12 and 14-16 remain in the application.

Claims 6-8, 10-12 and 14-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Timmons et al. (US 2004/0088190). The Examiner stated:

> Regarding claims 6, 10, and 14, Timmons discloses an expense management system including a business partner terminal (data warehouse, 1104, Fig. 2) that sends invoice information (includes billing or debit data, par. 15, par. 25) and an expense management apparatus (generally 700, Fig. 2) that manages the received invoice information (par. 18), wherein the expense management apparatus includes means to calculate debit information (determines charges in their records, par. 18) and accuracy determining means for comparing the calculated debit information with the debit information sent from the business partner terminal (charges on invoice are compared to their records, par. 6, par. 18) and determining whether the sent debit information corresponds to the calculated debit information (looks for discrepancies or errors, par. 6, par. 18).

> The system of Timmons differs from the claimed invention in that the calculated debit information is not shown to be based on the sent invoice information.

> However, the calculated debit information could be based on a variety of data, such as invoice data, in-store sales records, third party data, etc. The particular data used to calculate the debit information would not affect the nature or functioning of the invention and would be a matter of design choice.

> It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Timmons so that the calculated debit information is based on the sent invoice information to provide a means for generating debit information when other data sources are not available.

This rejection is respectfully traversed.

The claims are directed to an expense management system comprising a number of elements in combination. In representative claim 6, for example, the claimed combination includes

a business partner terminal apparatus and an expense management apparatus. The business partner terminal apparatus sends invoice information and debit note information that is generated based on the invoice information. The expense management apparatus manages the invoice information and the debit note information sent from the business partner terminal apparatus. The expense management apparatus includes calculation means and accuracy determination means. The calculation means calculates debit information based on the invoice information sent from the business partner terminal apparatus. The accuracy determination means compares the calculated debit information obtained by the calculation means and the debit note information sent from the business partner terminal apparatus, and determines whether the debit note information sent from the business partner terminal apparatus corresponds to the calculated debit information.

In other words, the claims define a combination which enables one to (1) <u>calculate</u> debit information based on invoice information, (2) compare the <u>calculated</u> debit information and actual "debit <u>note</u> information" (i.e., the information that is on the actual debit <u>note</u> itself), and (3) determine whether the actual "debit <u>note</u> information" corresponds to the "<u>calculated</u> debit information." Stated somewhat differently, the claimed combination enables a comparison between debit <u>note</u> information actually on a debit note and <u>calculated</u> debit information calculated by a calculation means.

A similar combination is neither disclosed nor suggested in Timmons.

Paragraph 0006 of Timmons describes a health care facility that compares an invoice to the health care facility's records. Timmons teaches a comparison between information present on an invoice and information present on a health care facility record. There is no teaching or suggestion in Timmons of a combination which includes <u>calculation</u> means for <u>calculating</u> debit information based on invoice information. There is no teaching or suggestion of a combination which includes accuracy determination means for <u>comparing</u> the <u>calculated</u> debit information obtained by the calculation means and the debit note information.

Paragraph 0018 of Timmons describes a health care facility that "examines" the charges listed on an invoice and compares them to their records. Again, Timmons teaches a comparison between information present on an invoice and information present on a health care facility record. There is no teaching or suggestion in Timmons of a combination which includes <u>calculation</u> means for <u>calculating</u> debit information based on invoice information sent from the business partner terminal apparatus. There is no teaching or suggestion of a combination which includes accuracy determination means for <u>comparing</u> the <u>calculated</u> debit information obtained by the calculation means and the debit note information sent from the business partner terminal apparatus.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 116692005300.

Dated: December 5, 2008   Respectfully submitted,

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